



Order Filed on April 27, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption In Compliance With D.N.J. LBR 9004-1(b)

DUANE MORRIS LLP

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Counsel for Fulton Bank, N.A.

In Re:

VARUN MALIK,

Debtor.

Case No. 22-11708 CMG

Judge: Hon. Christine M. Gravelle

Chapter 11

**ORDER GRANTING MOTION OF FULTON BANK, N.A., TO STRIKE THE DEBTOR'S
ELECTION TO PROCEED AS A SUBCHAPTER V SMALL BUSINESS DEBTOR AND
OTHER RELATED RELIEF**

The relief set forth on the following pages, numbered two (2) and three (3) is hereby
ORDERED.

DATED: April 27, 2022

A handwritten signature in cursive script, reading "Christine M. Gravelle", is written over a horizontal line.
Honorable Christine M. Gravelle
United States Bankruptcy Judge

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Debtor: Varun Malik

Case No.: Case No. 22-11708 CMG

Caption: Order Granting Motion of Fulton Bank, N.A., to Strike the Debtor's Election to Proceed as a Subchapter V Small Business Debtor and Other Related Relief

This matter having been opened to the Court by Fulton Bank, N.A. (the "Movant" or "Fulton Bank"), by and through its counsel, Duane Morris LLP, in the above-captioned bankruptcy case (the "Bankruptcy Case") of Varun Malik (the "Debtor"), on the Motion of Fulton Bank, N.A., to Strike the Debtor's Election to Proceed as a Subchapter V Small Business Debtor (the "Motion"); and good and sufficient notice of the Motion having been provided; and the Court having considered the moving papers and any opposition thereto, and the arguments of counsel; and the Court having determined that good cause exists for the entry of this Order,

IT IS ORDERED as follows:

1. The Motion be and hereby is GRANTED to the extent set forth below.
2. The Debtor's election to proceed as a small business debtor under 11 U.S.C. § 101(51D), and as a debtor under Subchapter V of Chapter 11 under 11 U.S.C. § 1181(1) ("Subchapter V"), be and hereby is stricken, and the Bankruptcy Case shall proceed henceforth as one under chapter 11 of title 11 of the U.S. Code, but not under Subchapter V.
3. The Subchapter V trustee previously appointed by the United States Trustee in this Bankruptcy Case is terminated effective as of the date this Order is signed and entered by the Court.
4. On or before 21 days following the entry of this Order, the Subchapter V trustee shall file a Final Fee Application.
5. The Chapter 11 Small Business Subchapter V Plan filed by the Debtor on March 29, 2022 (Doc. No. 35) is withdrawn and the Order Setting Deadlines and Scheduling Confirmation Hearing related thereto (Doc. No. 40) be and hereby is vacated.

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Debtor: Varun Malik

Case No.: Case No. 22-11708 CMG

Caption: Order Granting Motion of Fulton Bank, N.A., to Strike the Debtor's Election to
Proceed as a Subchapter V Small Business Debtor and Other Related Relief

6. The Order to Show Cause entered by the Court on March 30, 2022 in connection
with the Debtor's Subchapter V election (Doc. No. 38) shall be and hereby is vacated.

In re:
Varun Malik
Debtor

Case No. 22-11708-CMG
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Apr 27, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 29, 2022:

Recip ID	Recipient Name and Address
db	+ Varun Malik, 21 Maida Road, Edison, NJ 08820-2531

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 29, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 27, 2022 at the address(es) listed below:

Name	Email Address
Brian W. Hofmeister	bwh@hofmeisterfirm.com J119@ecfbis.com
Denise E. Carlon	on behalf of Creditor PNC Bank National Association dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Joseph M. Shapiro	on behalf of Debtor Varun Malik jshapiro@middlebrooksshapiro.com
Joseph M. Shapiro	on behalf of Plaintiff Varun Malik jshapiro@middlebrooksshapiro.com
Margaret Mcgee	on behalf of U.S. Trustee U.S. Trustee maggie.mcgee@usdoj.gov
Melinda D. Middlebrooks	on behalf of Debtor Varun Malik middlebrooks@middlebrooksshapiro.com melindamiddlebrooks@gmail.com

District/off: 0312-3

User: admin

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Form ID: pdf903

Total Noticed: 1

Morris S. Bauer

on behalf of Defendant Fulton Bank N.A. MSBauer@duanemorris.com, tjsantorelli@duanemorris.com

Morris S. Bauer

on behalf of Creditor FULTON BANK N.A. MSBauer@duanemorris.com, tjsantorelli@duanemorris.com

Rebecca K. McDowell

on behalf of Creditor TD Bank N.A. rmcdowell@slgcollect.com

Robert P. Saltzman

on behalf of Creditor HSBC BANK USA N.A. dnj@pbslaw.org

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11